

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

LAURA ANN CAMPAGNA, RN
714 Leafwood Court
Brea, CA 92821
Registered Nurse license No. 596246

Respondent.

Case No. 2009-93

OAH No.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on January 3, 2010
It is so ORDERED December 3, 2009



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 ERIN M. SUNSERI, State Bar No. 207031
Deputy Attorney General
4 110 West "A" Street, Suite 1100
San Diego, CA 92101

5
6 P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2071
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

9
10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-93

13 LAURA ANN CAMPAGNA, RN
714 Leafwood Court
14 Brea, CA 92821
Registered Nurse license No. 596246

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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16 Respondent.

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 PARTIES

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of the
22 Board of Registered Nursing. She brought this action solely in her official capacity and is
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
24 by Erin M. Sunseri, Deputy Attorney General.

25 2. Respondent Laura Ann Campagna, RN (Respondent) is represented in this
26 proceeding by attorney James V. Kosnett, Esq., whose address is: Law Offices of Kosnett &
27 Durchfort, 11355 W. Olympic Blvd., Suite 300, Los Angeles, California, 90064.

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3. On or about March 15, 2002, the Board of Registered Nursing issued Registered Nurse license No. 596246 to Respondent. The Registered Nurse license was in full force and effect at all times relevant to the charges brought in Accusation No. 2009-93 and will expire on December 31, 2009, unless renewed.

JURISDICTION

4. Accusation No. 2009-93 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 28, 2008. Respondent failed to timely file her Notice of Defense contesting the Accusation, leading to the entry of a Default Decision and Order against her. Respondent's Motion to Vacate Default Decision was granted by the Board, and she then filed a Notice of Defense. A copy of Accusation No. 2009-93 is attached as Exhibit "A" and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2009-93. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. For the purpose of resolving the Accusation without the expense and uncertainty
3 of further proceedings, Respondent agrees that, at an administrative hearing, Complainant could
4 establish a factual basis for the charges and allegations in the Accusation and that those charges,
5 if proved, constitute cause for discipline. Respondent hereby gives up her right to contest that
6 cause for discipline exists based on the charges and allegations contained in Accusation No.
7 2009-93.

8 9. Respondent agrees that her Registered Nurse license is subject to discipline and
9 she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary
10 Order below.

11 CONTINGENCY

12 10. This stipulation shall be subject to approval by the Board of Registered Nursing.
13 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
14 Registered Nursing may communicate directly with the Board regarding this stipulation and
15 settlement, without notice to or participation by Respondent or her counsel. By signing the
16 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
17 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
18 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
19 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
20 action between the parties, and the Board shall not be disqualified from further action by having
21 considered this matter.

22 11. The parties understand and agree that facsimile copies of this Stipulated
23 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
24 force and effect as the originals.

25 12. In consideration of the foregoing admissions and stipulations, the parties agree
26 that the Board may, without further notice or formal proceeding, issue and enter the following
27 Disciplinary Order:

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Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

Upon successful completion of probation, Respondent's license shall be fully restored.

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1 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
2 practice as a registered nurse outside of California shall not apply toward a reduction of this
3 probation time period. Respondent's probation is tolled, if and when she resides outside of
4 California. Respondent must provide written notice to the Board within 15 days of any change of
5 residency or practice outside the state, and within 30 days prior to re-establishing residency or
6 returning to practice in this state.

7 Respondent shall provide a list of all states and territories where she has ever been
8 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
9 provide information regarding the status of each license and any changes in such license status
10 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
11 new nursing license during the term of probation.

12 5. **Submit Written Reports.** Respondent, during the period of probation, shall
13 submit or cause to be submitted such written reports/declarations and verification of actions
14 under penalty of perjury, as required by the Board. These reports/declarations shall contain
15 statements relative to Respondent's compliance with all the conditions of the Board's Probation
16 Program. Respondent shall immediately execute all release of information forms as may be
17 required by the Board or its representatives.

18 Respondent shall provide a copy of this Decision to the nursing regulatory agency in
19 every state and territory in which she has a registered nurse license.

20 6. **Function as a Registered Nurse.** Respondent, during the period of probation,
21 shall engage in the practice of registered nursing in California for a minimum of 24 hours per
22 week for 6 consecutive months or as determined by the Board.

23 For purposes of compliance with the section, "engage in the practice of registered
24 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
25 work in any non-direct patient care position that requires licensure as a registered nurse.

26 The Board may require that advanced practice nurses engage in advanced practice nursing
27 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

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1 If Respondent has not complied with this condition during the probationary term, and
2 Respondent has presented sufficient documentation of her good faith efforts to comply with this
3 condition, and if no other conditions have been violated, the Board, in its discretion, may grant
4 an extension of Respondent's probation period up to one year without further hearing in order to
5 comply with this condition. During the one year extension, all original conditions of probation
6 shall apply.

7 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain
8 prior approval from the Board before commencing or continuing any employment, paid or
9 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
10 performance evaluations and other employment related reports as a registered nurse upon request
11 of the Board.

12 Respondent shall provide a copy of this Decision to her employer and immediate
13 supervisors prior to commencement of any nursing or other health care related employment.

14 In addition to the above, Respondent shall notify the Board in writing within seventy-two
15 (72) hours after she obtains any nursing or other health care related employment. Respondent
16 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
17 separated, regardless of cause, from any nursing, or other health care related employment with a
18 full explanation of the circumstances surrounding the termination or separation.

19 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding
20 Respondent's level of supervision and/or collaboration before commencing or continuing any
21 employment as a registered nurse, or education and training that includes patient care.

22 Respondent shall practice only under the direct supervision of a registered nurse in good
23 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
24 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
25 approved.

26 Respondent's level of supervision and/or collaboration may include, but is not limited to
27 the following:

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1 (a) Maximum - The individual providing supervision and/or collaboration is present in
2 the patient care area or in any other work setting at all times.

3 (b) Moderate - The individual providing supervision and/or collaboration is in the
4 patient care unit or in any other work setting at least half the hours Respondent works.

5 (c) Minimum - The individual providing supervision and/or collaboration has person-
6 to-person communication with Respondent at least twice during each shift worked.

7 (d) Home Health Care - If Respondent is approved to work in the home health care
8 setting, the individual providing supervision and/or collaboration shall have person-to-person
9 communication with Respondent as required by the Board each work day. Respondent shall
10 maintain telephone or other telecommunication contact with the individual providing supervision
11 and/or collaboration as required by the Board during each work day. The individual providing
12 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits
13 to patients' homes visited by Respondent with or without Respondent present.

14 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in
15 any private duty position as a registered nurse, a temporary nurse placement agency, a traveling
16 nurse, or for an in-house nursing pool.

17 Respondent shall not work for a licensed home health agency as a visiting nurse unless
18 the registered nursing supervision and other protections for home visits have been approved by
19 the Board. Respondent shall not work in any other registered nursing occupation where home
20 visits are required.

21 Respondent shall not work in any health care setting as a supervisor of registered nurses.
22 The Board may additionally restrict Respondent from supervising licensed vocational nurses
23 and/or unlicensed assistive personnel on a case-by-case basis.

24 Respondent shall not work as a faculty member in an approved school of nursing or as an
25 instructor in a Board approved continuing education program.

26 Respondent shall work only on a regularly assigned, identified and predetermined
27 worksite(s) and shall not work in a float capacity.

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1 If Respondent is working or intends to work in excess of 40 hours per week, the Board
2 may request documentation to determine whether there should be restrictions on the hours of
3 work.

4 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll
5 and successfully complete a course(s) relevant to the practice of registered nursing no later than
6 six months prior to the end of her probationary term.

7 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
8 Respondent shall submit to the Board the original transcripts or certificates of completion for the
9 above required course(s). The Board shall return the original documents to Respondent after
10 photocopying them for its records.

11 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its
12 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
13 amount of \$3,000.00. Respondent shall be permitted to pay these costs in a payment plan
14 approved by the Board, with payments to be completed no later than three months prior to the
15 end of the probation term.

16 If Respondent has not complied with this condition during the probationary term, and
17 Respondent has presented sufficient documentation of her good faith efforts to comply with this
18 condition, and if no other conditions have been violated, the Board, in its discretion, may grant
19 an extension of Respondent's probation period up to one year without further hearing in order to
20 comply with this condition. During the one year extension, all original conditions of probation
21 will apply.

22 12. **Violation of Probation.** If Respondent violates the conditions of her probation,
23 the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay
24 order and impose the stayed discipline (revocation/suspension) of Respondent's license.

25 If during the period of probation, an accusation or petition to revoke probation has been
26 filed against Respondent's license or the Attorney General's Office has been requested to prepare
27 an accusation or petition to revoke probation against Respondent's license, the probationary
28 period shall automatically be extended and shall not expire until the accusation or petition has

1 been acted upon by the Board.

2 13. **License Surrender.** During Respondent's term of probation, if she ceases
3 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
4 probation, Respondent may surrender her license to the Board. The Board reserves the right to
5 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
6 take any other action deemed appropriate and reasonable under the circumstances, without
7 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
8 will no longer be subject to the conditions of probation.

9 Surrender of Respondent's license shall be considered a disciplinary action and shall
10 become a part of Respondent's license history with the Board. A registered nurse whose license
11 has been surrendered may petition the Board for reinstatement no sooner than the following
12 minimum periods from the effective date of the disciplinary decision:

13 (1) Two years for reinstatement of a license that was surrendered for any
14 reason other than a mental or physical illness; or

15 (2) One year for a license surrendered for a mental or physical illness.

16 14. **Physical Examination.** Within 45 days of the effective date of this Decision,
17 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
18 assistant, who is approved by the Board before the assessment is performed, submit an
19 assessment of the Respondent's physical condition and capability to perform the duties of a
20 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
21 medically determined, a recommended treatment program will be instituted and followed by the
22 Respondent with the physician, nurse practitioner, or physician assistant providing written
23 reports to the Board on forms provided by the Board.

24 If Respondent is determined to be unable to practice safely as a registered nurse, the
25 licensed physician, nurse practitioner, or physician assistant making this determination shall
26 immediately notify the Board and Respondent by telephone, and the Board shall request that the
27 Attorney General's office prepare an accusation or petition to revoke probation. Respondent
28 shall immediately cease practice and shall not resume practice until notified by the Board.

1 During this period of suspension, Respondent shall not engage in any practice for which a license
2 issued by the Board is required until the Board has notified Respondent that a medical
3 determination permits Respondent to resume practice. This period of suspension will not apply
4 to the reduction of this probationary time period.

5 If Respondent fails to have the above assessment submitted to the Board within the 45-
6 day requirement, Respondent shall immediately cease practice and shall not resume practice until
7 notified by the Board. This period of suspension will not apply to the reduction of this
8 probationary time period. The Board may waive or postpone this suspension only if significant,
9 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
10 by Respondent to obtain the assessment, and a specific date for compliance must be provided.

11 Only one such waiver or extension may be permitted.

12 **15. Participate in Treatment/Rehabilitation Program for Chemical Dependence.**

13 Respondent, at her expense, shall successfully complete during the probationary period
14 or shall have successfully completed prior to commencement of probation a Board-approved
15 treatment/rehabilitation program of at least six months duration. As required, reports shall be
16 submitted by the program on forms provided by the Board. If Respondent has not completed a
17 Board-approved treatment/rehabilitation program prior to commencement of probation,
18 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a
19 program. If a program is not successfully completed within the first nine months of probation,
20 the Board shall consider Respondent in violation of probation.

21 Based on Board recommendation, each week Respondent shall be required to attend at
22 least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
23 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed
24 by the Board. If a nurse support group is not available, an additional 12-step meeting or
25 equivalent shall be added. Respondent shall submit dated and signed documentation confirming
26 such attendance to the Board during the entire period of probation. Respondent shall continue
27 with the recovery plan recommended by the treatment/rehabilitation program or a licensed
28 mental health examiner and/or other ongoing recovery groups.

1 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
2 completely abstain from the possession, injection or consumption by any route of all controlled
3 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same
4 are ordered by a health care professional legally authorized to do so as part of documented
5 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)
6 days, by the prescribing health professional, a report identifying the medication, dosage, the date
7 the medication was prescribed, the Respondent's prognosis, the date the medication will no
8 longer be required, and the effect on the recovery plan, if appropriate.

9 Respondent shall identify for the Board a single physician, nurse practitioner or physician
10 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
11 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-
12 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report
13 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances
14 considered addictive have been prescribed, the report shall identify a program for the time
15 limited use of any such substances.

16 The Board may require the single coordinating physician, nurse practitioner, or physician
17 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
18 medicine.

19 **17. Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
20 random, biological fluid testing or a drug screening program which the Board approves. The
21 length of time and frequency will be subject to approval by the Board. Respondent is responsible
22 for keeping the Board informed of Respondent's current telephone number at all times.
23 Respondent shall also ensure that messages may be left at the telephone number when she is not
24 available and ensure that reports are submitted directly by the testing agency to the Board, as
25 directed. Any confirmed positive finding shall be reported immediately to the Board by the
26 program and Respondent shall be considered in violation of probation.

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1 In addition, Respondent, at any time during the period of probation, shall fully cooperate
2 with the Board or any of its representatives, and shall, when requested, submit to such tests and
3 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
4 hypnotics, dangerous drugs, or other controlled substances.

5 If Respondent has a positive drug screen for any substance not legally authorized and not
6 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
7 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
8 practice pending the final decision on the petition to revoke probation or the accusation. This
9 period of suspension will not apply to the reduction of this probationary time period.

10 If Respondent fails to participate in a random, biological fluid testing or drug screening
11 program within the specified time frame, Respondent shall immediately cease practice and shall
12 not resume practice until notified by the Board. After taking into account documented evidence
13 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
14 suspend Respondent from practice pending the final decision on the petition to revoke probation
15 or the accusation. This period of suspension will not apply to the reduction of this probationary
16 time period.

17 **18. Mental Health Examination.** Respondent shall, within 45 days of the effective
18 date of this Decision, have a mental health examination including psychological testing as
19 appropriate to determine her capability to perform the duties of a registered nurse. The
20 examination will be performed by a psychiatrist, psychologist or other licensed mental health
21 practitioner approved by the Board. The examining mental health practitioner will submit a
22 written report of that assessment and recommendations to the Board. All costs are the
23 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
24 result of the mental health examination will be instituted and followed by Respondent.

25 If Respondent is determined to be unable to practice safely as a registered nurse, the
26 licensed mental health care practitioner making this determination shall immediately notify the
27 Board and Respondent by telephone, and the Board shall request that the Attorney General's
28 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease

1 practice and may not resume practice until notified by the Board. During this period of
2 suspension, Respondent shall not engage in any practice for which a license issued by the Board
3 is required, until the Board has notified Respondent that a mental health determination permits
4 Respondent to resume practice. This period of suspension will not apply to the reduction of this
5 probationary time period.

6 If Respondent fails to have the above assessment submitted to the Board within the 45-
7 day requirement, Respondent shall immediately cease practice and shall not resume practice until
8 notified by the Board. This period of suspension will not apply to the reduction of this
9 probationary time period. The Board may waive or postpone this suspension only if significant,
10 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
11 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
12 Only one such waiver or extension may be permitted.

13 19. **Therapy or Counseling Program.** Respondent, at her expense, shall participate
14 in an on-going counseling program until such time as the Board releases her from this
15 requirement and only upon the recommendation of the counselor. Written progress reports from
16 the counselor will be required at various intervals.

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ACCEPTANCE

19 I have carefully read the above Stipulated Settlement and Disciplinary Order and have
20 fully discussed it with my attorney, James V. Kosnett, Esq. I understand the stipulation and the
21 effect it will have on my Registered Nurse license. I enter into this Stipulated Settlement and
22 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
23 Decision and Order of the Board of Registered Nursing.


24 DATED: 6/19/09

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LAURA ANN CAMPAGNA, RN
Respondent

1 I have read and fully discussed with Respondent Laura Ann Campagna, RN the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary
3 Order. I approve its form and content.

4 DATED: 6-28-09

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6
7 JAMES V. KOSNETT, ESQ.
Attorney for Respondent

8
9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
11 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
12 Affairs.

13
14 DATED: 8/5/09

15 EDMUND G. BROWN JR., Attorney General
16 of the State of California

17 JAMES M. LEDAKIS
Supervising Deputy Attorney General

18
19
20 ERIN M. SUNSERI
21 Deputy Attorney General
Attorneys for Complainant

22
23 DOJ Matter ID: SD2008800742
80364588.wpd

Exhibit A
Accusation No. 2009-93

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 ERIN M. SUNSERI, State Bar No. 207031
Deputy Attorney General
4 110 West "A" Street, Suite 1100
San Diego, CA 92101

5 P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2071
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-93

13 LAURA ANN CAMPAGNA, RN
714 Leafwood Court
14 Brea, CA 92821
Registered Nurse No. 596246

A C C U S A T I O N

15 Respondent.
16

17
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about March 15, 2002, the Board of Registered Nursing issued
24 Registered Nurse License Number 596246 to Laura Ann Campagna, RN ("Respondent"). The
25 Registered Nurse License was in full force and effect at all times relevant to the charges brought
26 herein and will expire on December 31, 2009, unless renewed.

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1 JURISDICTION

2 3. This Accusation is brought before the Board of Registered Nursing
3 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2750 of the Code provides, in pertinent part, that the Board may
6 discipline any licensee, including a licensee holding a temporary or inactive license, for any
7 reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

8 5. Section 2764 of the Code provides, in pertinent part, that the expiration of
9 a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
10 against the licensee or to render a decision imposing discipline on the license. Under Code
11 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
12 years after the expiration.

13 STATUTORY PROVISIONS

14 6. Code section 2761 states, in pertinent part:

15 The board may take disciplinary action against a
16 certified or licensed nurse or deny an application for a certificate or
license for any of the following:

17 (a) Unprofessional conduct...

18 7. Code section 2762 states, in pertinent part:

19 In addition to other acts constituting unprofessional conduct
20 within the meaning of this chapter [the Nursing Practice Act], it is
unprofessional conduct for a person licensed under this chapter to
21 do any of the following:

22 (a) Obtain or possess in violation of law, or prescribe, or
except as directed by a licensed physician and surgeon, dentist, or
23 podiatrist administer to himself or herself, or furnish or administer
to another, any controlled substance as defined in Division 10
24 (commencing with Section 11000) of the Health and Safety Code
or any dangerous drug or dangerous device as defined in Section
4022.

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1 8. Code Section 4060 provides, in pertinent part,

2 No person shall possess any controlled substance, except
3 that furnished to a person upon the prescription of a physician,
4 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
5 pursuant to Section 3640.7, or furnished pursuant to a drug order
6 issued by a certified nurse-midwife pursuant to Section 2746.51, a
7 nurse practitioner pursuant to Section 2836.1, a physician assistant
8 pursuant to Section 3502.1, a naturopathic doctor pursuant to
9 Section 3640.5, or a pharmacist pursuant to either subparagraph
10 (D) of paragraph (4) of, or clause (iv) of subparagraph (A) of
11 paragraph (5) of, subdivision (a) of Section 4052.

12 10. Health and Safety Code §11173, subdivision (a), provides:

13 No person shall obtain or attempt to obtain controlled
14 substances, or procure or attempt to procure the administration of
15 or prescription for controlled for controlled substances, (1) by
16 fraud, deceit, misrepresentation, or subterfuge; or (2) by the
17 concealment of a material fact.

18 COST RECOVERY

19 13. Code section 125.3 provides, in pertinent part, that the Board may request
20 the administrative law judge to direct a licensee found to have committed a violation or
21 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
22 and enforcement of the case.

23 DRUG

24 14. "Hydromorphone" is a Schedule II controlled substance as designated by
25 Health and Safety Code §11055(b)(1)(K).

26 CAUSE FOR DISCIPLINE

27 (Unprofessional Conduct-Obtain and Possess a Dangerous Drug in Violation of Law)

28 15. Respondent is subject to disciplinary action under Code section 2761,
29 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,
30 subdivision (a), as follows:

31 a. On or about June 8, 2007, Respondent possessed Hydromorphone, a
32 dangerous drug, in violation of Code section 4022.

33 b. In or around 2006, while working as a Registered Nurse at St. Jude
34 Hospital in Fullerton, California, Respondent obtained Hydromorphone, a controlled substance,

1 by fraud, deceit, misrepresentation or subterfuge, in violation of Health and Safety Code § 11173,
2 subdivision (a), by taking the drug from hospital supplies. The facts and circumstances are as
3 follows:

4 1. On or about June 8, 2007, Respondent's home was searched by the Brea
5 Police Department. As a result of that search, police officers found Hydromorphone and syringes
6 in the bedroom she stated she shared with her boyfriend.

7 2. Upon questioning by the officers, Respondent admitted that she had left
8 the vial of Hydromorphone in her pocket when she left work nearly a year ago, and forgot to
9 return it. She also admitted that the syringes belonged to her, and that she had taken them from
10 the hospital where she was employed. Respondent admitted that she knew it was wrong to take
11 the items from her employer.

12 **PRAYER**


13 WHEREFORE, Complainant requests that a hearing be held on the matters herein
14 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 596246, issued
16 to Laura Ann Campagna;

17 2. Ordering Laura Ann Campagna to pay the Board of Registered Nursing the
18 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
19 Professions Code section 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

21
22 DATED: 10/20/08

23
24 
RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant